

**CITY OF ADA
REGULAR MEETING
NOVEMBER 5, 2018**

The Ada City Council met in regular session, Monday, November 5, 2018 at 5:45 p.m. at City Hall in the Dr. Ray L. Stout City Council Chamber. Advanced public notice was given by posting the agenda on the City Hall bulletin boards on Friday, November 2, 2018 at 1:45 p.m.

Council Members Present: Tre' Landrum, Ben McFarlane,
Randy McFarlin, Bryan Morris, Guy Sewell

Council Members Absent: None

Mayor Tre' Landrum called the meeting to order at 5:45 p.m.

Mayor Landrum led the Pledge of Allegiance.

City Manager Holcomb presented the "Medium Waste Water Plant of the Year" as awarded by OWPCA, to Marty York and Sammy Estes.

Mayor Landrum called for a moment of silence.

Discussion of and action on Consent Agenda

- 1. Consideration of the Minutes (October 15, 2018 meeting).**
- 2. Consideration of receipt of committee/board recommendations and reports:**

**Ada Metropolitan Area Planning & Zoning Commission October 18, 2018 Minutes
Joint Call-A-Ride Committee Minutes October 8, 2018**

- 3. Written reports from departments.**

Motion was made by **Councilman McFarlin**, seconded by **Councilman Sewell** to approve the Consent Agenda as presented. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on items removed from the Consent Agenda

There were no items removed from the Consent Agenda.

Discussion of and action on request from the Chickasaw Nation Housing Authority for approval of the final plat of a residential subdivision to be known as “Hilltop Meadow Addition” to be located on the following described property:

A tract of land located in the S/2 of the NW/4 of Section 25, Township 4 North, Range 6 East, more particularly described as follows: commencing at the southwest corner of the NW/4 of said Section 25; thence N 00°33'24” W along the west line of said NW/4 a distance of 625.77 feet to the point of beginning; thence N 89°27'45” E a distance of 774.00 feet; thence N 01°51'27” E a distance of 51.15 feet; thence N 89°32'08” E a distance of 1864.82 feet to a point on the east line of said NW/4; thence N 00°38'13” W along the east line of said NW/4 a distance of 646.17 feet to the northeast corner of the S/2 of the NW/4; thence S 89°28'54” W along the north line of the S/2 of the NW/4 a distance of 1980.05 feet to the northwest corner of the NE/4 of the SW/4 of the NW/4; thence S 00°34'36” E a distance of 660.55 feet to the southwest corner of the NE/4 of the SW/4 of the NW/4; thence S 89°27'45” W a distance of 660.25 feet to the northwest corner of the SW/4 of the SW/4 of the NW/4; thence S 00°33'24” E a distance of 35.00 feet to the point of beginning. Containing 30.00 acres more or less.

This property is located in the 1600 Block of North Monte Vista on the east side.

Councilman Morris recused himself from the Council Chamber during the discussion of agenda item six.

City Manager Holcomb reported this is the final plat of a new housing addition containing approximately 30 acres, with eighty-five single-family residential lots. Mr. Holcomb stated City Staff had recommended approval of the final plat, with the contingency the City would obtain street right-of-ways for the extension of Lonnie Abbott. The Planning and Zoning Commission had also recommended approval of the final plat.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Sewell** to approve the request from the Chickasaw Nation Housing Authority for approval of the final plat of a residential subdivision to be known as “Hilltop Meadow Addition”, to be located in the 1600 Block of North Monte Vista on the east side. Mayor Landrum called for the vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Sewell
NAY: None
Motion carried 4-0.

Discussion of and action on a resolution setting dates for City Council filing and election

City Manager Holcomb advised the proposed resolution would set the City Council primary election for Tuesday, February 12, 2019 and the general election, if needed for Tuesday, April 2, 2019. The filing period would begin at 8:00 a.m. on Monday, December 3, 2018 and close at 5:00 p.m. on Wednesday, December 5, 2018. The Council Seats up for election are from Ward One, Ward Three, and At-Large.

Motion was made by **Councilman Sewell**, seconded by **Councilman McFarlane** to adopt **Resolution No. 18-22A, Notice of Election City of Ada, Oklahoma**. Mayor Landrum called for a vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on a resolution declaring an intent of the City of Ada to purchase water rights within the boundaries of the Arbuckle-Simpson Aquifer

City Manager Holcomb explained this proposed resolution would allow the City to solicit offers for the sale of water rights within the Arbuckle-Simpson Aquifer boundaries and utilize licensed real estate brokers or agents to assist in locating and the purchase of the water rights.

Motion was made by **Councilman Sewell**, seconded by **Councilman Morris** to adopt **Resolution No. 18-23A, a resolution declaring intent of the City of Ada to purchase water rights within the boundaries of the Arbuckle-Simpson Aquifer**. Mayor Landrum called for a vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on approval of Intergovernmental Service Agreement with Pontotoc County for the detention of prisoners taken into custody by City of Ada Police Officers

The City Manager advised this Agreement is a revision to our current jail contract with Pontotoc County, stating the payment of funds by the City has been removed due to the newly enacted tax which will cover the cost of incarcerating both County and City prisoners.

Motion was made by **Councilman Sewell**, seconded by **Councilman McFarlin**, to approve Intergovernmental Service Agreement with Pontotoc County for the detention of prisoners taken into custody by City of Ada Police Officers. Mayor Landrum called for a vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on Agreement for Professional Services with NewGen Strategies and Solutions, LLC to perform ongoing water, wastewater, or solid waste rate development, and debt feasibility funding

City Manager Holcomb advised NewGen would continue to assist the City with on-going support services related to financial management of the City's water, wastewater, and solid waste enterprise funds.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Sewell** to approve Agreement for Professional Services with NewGen Strategies and Solutions, LLC to perform ongoing water, wastewater, or solid waste rate development, and debt feasibility funding. Mayor Landrum called for a vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on Agreement with Sciens Consulting, LLC for services associated with Information Technology Master Plan Project

Mr. Holcomb informed the Council this Agreement would allow Sciens to assist the City with its IT Master Planning effort.

Motion was made by **Councilman McFarlin**, seconded by **Councilman McFarlane** to approve Agreement with Sciens Consulting, LLC for services associated with Information Technology Master Plan Project. Mayor Landrum called for a vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on an ordinance amending Chapter 42, "Licenses and Business Regulations", by adding Article XV, "Medical Marijuana", which establishes regulations for retail medical marijuana establishments, commercial marijuana growing and processing facilities, marijuana growing facilities for personal use, prohibition against smoking or vaping marijuana on City property; providing for severability; repealing all ordinances to the contrary and declaring an emergency

(If passed, must consider Emergency Clause.)

City Attorney Frank Stout updated the Council Members on the change made to the proposed ordinance.

Several members of the community addressed the Council and their concerns of the zoning regulations, since the state law provides only for the location of the dispensary operation to not be located within 1,000 feet of a public or private school.

Rev. Brad Graves of First Baptist Church requested the Council to include in the city ordinance for the zoning regulations, to include churches along with the schools. Rev. Graves stated he is glad there is a buffer zone around the schools, which the state law allows, but he spoke about others that are just as vulnerable. Rev. Graves pointed out the churches having recovery systems such as “Celebrate Recovery” and with no zoning regulations placed in regard to churches, would be placing the temptation right in the face of those attending the recovery programs.

Also addressing the Council was Rev. Travis Muse, Mr. Steve Gardner, Rev. Rusty Fuller, Mr. Adam Crabtree, Ms. Shawn Howard, and Ms. Jenny Cypert.

Council Members discussed how far they could follow the law and effectively regulate medical marijuana operations without being in violation of State Question 788, and the barring of cities from unduly changing or restricting zoning laws to stop retail marijuana businesses from opening.

Following discussion Council Members asked City Attorney Stout to present a proposed ordinance that would mirror the city requirements of the zoning regulations for liquor stores and bars.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Sewell**, to table action on an ordinance amending Chapter 42, “Licenses and Business Regulations”, by adding Article XV, “Medical Marijuana”, which establishes regulations for retail medical marijuana establishments, commercial marijuana growing and processing facilities, marijuana growing facilities for personal use, prohibition against smoking or vaping marijuana on City property, until the December 3, 2018 Council Meeting. Mayor Landrum called for a vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Reports by City Manager

Public Information Director, Lisa Bratcher, invited the Council to attend the “Santa Stroll” and the lighting of the “Trail of Lights” at Wintersmith Park on Monday, November 19th at 6 p.m.

Ms. Bratcher also encouraged members of the community to register their Children for the “Spirit of Christmas Party” to be held on Tuesday, December 11, 2018, with the deadline to register being November 30, 2018.

Persons to be heard on any matter not on the agenda

There no persons to be heard on any matter not on the agenda.

Adjournment

There being no further business to come before the Ada City Council, Mayor Landrum adjourned the meeting, and requested members reconvene as the governing body of the Ada Public Works Authority.

Attest: Sally Pool, City Clerk

Tre' Landrum, Mayor